

EXECUTIVE COUNCIL OF IOWA

MINUTES

FEBRUARY 11, 2013

The Executive Council met in regular session at 9:59 a.m. Room G09 of the Capitol Building with Governor Terry Branstad presiding. Secretary of State Matt Schultz, Auditor of State David Vaudt and Treasurer of State Michael Fitzgerald were present. Secretary of Agriculture William Northey was absent.

Regular session
February 11,
2013

Moved by Secretary Schultz and seconded by Treasurer Fitzgerald that the Council approve the minutes of the Executive Council meeting held February 4, 2013.

Minutes
Approved

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Treasurer Fitzgerald
 Nays: None

Moved by Secretary Schultz and seconded by Treasurer Fitzgerald that the Council approve the requests from the Department of Justice, Attorney General's office as follows:

Approved
Outside
Counsel

- A. The Department of Justice, Attorney General's Office request for an amendment to the existing contract with Dorsey & Whitney to Venable LLP in Washington DC who will continue to advise the Department of Transportation (DOT) with regard to improvements to I-80 and I-29 in Council Bluffs that will affect railroads and continue with the same rates previously approved.
- B. The Department of Justice, Attorney General's Office request for an amendment of the current contract with LaMarca & Landry, P.C., to include defense of the federal court litigation, with regard to the Christopher Godfrey civil rights complaint. The terms and conditions will be the same as the state court litigation.
- C. The Department of Justice, Attorney General's Office request for retention of outside counsel to provide legal services for the State Treasurer's Office, Unclaimed Property Division in regard to probate matters and Employee Retirement Income Security Act (ERISA). Attorney fees and costs will be paid from the Unclaimed Property Fund.

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Treasurer Fitzgerald
 Nays: None

Auditor Vaudt joined meeting

Moved by Treasurer Fitzgerald and seconded by Auditor Vaudt that the Council approve the following litigation expense fund request:

Approved
Litigation
Expense Fund

Request from the Attorney Generals' office on behalf of the Department of Revenue to expend \$60,000.00 from the Litigation Expense Fund for third quarter of the 2013 fiscal year.

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Auditor Vaudt
 Treasurer Fitzgerald
 Nays: None

Moved by Secretary Schultz and seconded by Treasurer Fitzgerald that the Council approve the following cost items:

Approved Cost
Items

- A. Patterson Law Firm L.L.P..... \$688.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Mary Kimball v. Woodward State Hospital School, State of Iowa and the Second Injury Fund
- B. Wandro & Associates, P.C.\$4,325.00
2501 Grand Avenue, Suite B
Des Moines, IA 50312
Unclaimed Property Probate Matters
- C. LaMarca & Landry, P.C.....\$20,901.85
1820 N.W. 118th Street, Suite 200
Des Moines, IA 50325
Godfrey v. State of Iowa et al, civil rights complaint
- D. Nyemaster, Goode, West, Hansell & O'Brien, P.C.....\$842.50
700 Walnut Street
Suite 1600
Des Moines, IA 50309
Collections of Accounts in Court
- E. Dickinson, Mackaman, Tyler & Hagen, P.C.....\$1,606.50
699 Walnut, Suite 1600
Des Moines, IA 50309
Regions Bank, Alabama Banking Corp. vs. Iowa Department of Revenue and Iowa Capital Investment Board

F. McDowell, Rice, Smith & Buchanan.....\$141.35
 605 West 47th Street, Suite 350
 Kansas City, MO 64112
Tobacco Settlement Authority

G. Davis Brown Law Firm.....\$32,217.50
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309-3993
Unclaimed Property Probate Matters & Employee Retirement Income
 Security Act (ERISA)

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Auditor Vaudt
 Treasurer Fitzgerald
 Nays: None

Moved by Treasurer Fitzgerald and seconded by Secretary Schultz that the Council approve the renewal memberships as follows:

Approved
 Renewal
 Memberships

- A. Commerce – Utilities Consumer Advocate Division in National Association of State Utility Consumer Advocates in the amount of \$10,693.00 for 01/01/13 - 12/31/13.
- B. Commerce - Alcoholic Beverages in Iowa Restaurant Association in the amount of \$450.00 for 01/01/13 - 12/31/13.
- C. Commerce - Banking in Conference of State Bank Supervisors in the amount of \$92,745.85 for 07/01/12 - 06/30/13.
- D. Commerce - Insurance in North American Securities Administration Association in the amount of \$1,800.00 for 01/01/13 - 12/31/13.
- E. Corrections - Anamosa in United States Police Canine Association in the amount of \$50.00 for 01/01/13 - 12/31/13.
- F. Education - Vocational Rehabilitation in Greater Burlington Chamber Of Commerce in the amount of \$294.00 for 1/01/13 - 12/31/13.
- G. Iowa Public Television in Iowa Cable & Telecommunications Association in the amount of \$250.00 for 01/01/13 - 12/31/13.

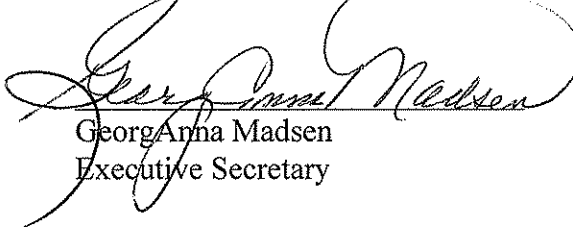
- H. Iowa Department on Aging in National Association of Nutrition and Aging in the amount of \$165.00 for 01/01/13 - 12/31/13.
- I. Public Safety in Association of State Criminal Investigative in the amount of \$500.00 for 01/01/13 - 12/31/13.
- J. Secretary of State in The Election Center in the amount of \$700.00 for 05/01/13 - 04/30/15.

The vote: Ayes: Governor Branstad
 Secretary Schultz
 Auditor Vaudt
 Treasurer Fitzgerald
 Nays: None

The meeting was adjourned at 10:04 a.m.

Meeting
adjourned

Respectfully submitted,


Georganna Madsen
Executive Secretary